

The lack of construction money “is precluding our ability to provide modern, government owned or privatized quality housing to our Sailors, Marines and their families at a time when the Global War on Terror is placing enormous stress on our military and our military families.”

I am going to be looking for every opportunity to get this bill up for consideration. Again, I am concerned about all appropriations bills, and a continuing resolution, as far as I am concerned, at least is going to take care of those needs. But the one thing it cannot do is take care of the military construction needs we will have to address.

That bill is S. 113. I look forward to it coming up for consideration. We already have, as I mentioned, most members of the Armed Services Committee cosponsoring this legislation.

### POLAR BEARS

Mr. INHOFE. Mr. President, I do not see anyone else in the Chamber right now. I wish to speak on a totally different subject.

Up until I guess today, turnover day, as the Presiding Officer knows, I have chaired the Environment and Public Works Committee for 4 years. I have enjoyed that very much. I will be turning that over now to Senator BARBARA BOXER. We will still be working very closely together.

One thing that happened a few days ago that I think is worth getting on the record and talking about a little bit, because this is something which is going to come up in our discussions in that committee, is, as you probably noticed, Mr. President, the U.S. Fish and Wildlife Service recently took some action to begin formal consideration of whether to list the polar bear as a threatened species under the Endangered Species Act. Over the next year, they are going to be working on this issue, making a determination as to whether the listing should take place. So right now we are starting that 1-year period.

The question the Service has to answer is this: Is there clear scientific evidence that the current worldwide polar bear population is in trouble and facing possible extinction in the foreseeable future? As the Service reviews the issue over the next year, I am confident they will conclude, as I have, that listing the polar bear is unwarranted at this time.

In the proposal, the Fish and Wildlife Service acknowledges that for 7 of the 19 worldwide polar bear populations—this is very significant. There are 19 populations worldwide for the polar bear. For seven of those populations, the Service has no population trend data of any kind. For more than a third of the known populations out there, we don't have any information. The other data suggests that for an additional five polar bear populations, the number of bears is not declining but is stable. Two more of the bear

populations showed a reduced number in the past due to overhunting, but these two populations are now increasing because of new hunting restrictions.

Other sources of data mentioned in a recent Wall Street Journal piece—just this past Tuesday—suggest that “there are more polar bears in the world now than there were 40 years ago.” I have to say there are quite a few more, almost twice the number from 40 years ago.

The Service estimates that the polar bear population is 20,000 to 25,000 bears, whereas in the fifties and sixties, the estimates were as low as 5,000 to 10,000 bears, and most of that was due to sport hunting at that time, and most of that has been banned.

A 2002 U.S. Geological Survey study of wildlife in the Arctic Refuge Coastal Plain noted that the polar bear populations “may now be near historic highs.”

So if the number of polar bears does not appear to be in decline, then why are we considering listing the species as threatened? Because the Endangered Species Act is broken. It needs to be fixed. We tried to fix it for the past 4 years. We have been unable to reach a consensus.

The ESA allows the Fish and Wildlife Service to list the entire range of polar bears as threatened and thereby extend a wide array of regulatory restrictions to them and their habitat despite the dearth of data and a lack of scientific evidence that polar bears are, indeed, in trouble.

The law also allows for the Fish and Wildlife Service to justify its proposal on a sample from a single population in western Hudson Bay in Canada where the populations have decreased by 259 polar bears in the last 17 years. Stop and think about this. This is the western Hudson Bay in Canada, 1 of 19 sites. This is the one which is the most severe.

The population has decreased by 259 polar bears in the last 17 years; however, the figures that the International Union of Conservation of Nature and Natural Resources says that 234 bears have been killed in the last 5 years alone. If you figure that 234 have been killed in the last 5 years, the total in the last 17 years is 259, you have to assume that more than the 259 were actually shot. Ironically, Canada now is liberalizing a lot of their hunting in that area, and it is going to allow more hunting. This is something they need to address.

At this point, I would like to say that while I support hunting as a general matter, we need to fully understand its impact on the polar bear population before we blame global warming for changes in bear population. I already said we can document pretty well—scientifically it is documented—that the number of bears has actually increased except in areas where hunting is more prevalent.

I think there are a lot of people who want to somehow insert global warm-

ing as a crisis in everything and use polar bears for that reason, and we are not going to let that take place.

The Fish and Wildlife Service asserts that the reason for the decline in the western Hudson Bay population is climate change-induced ice melting. To make that assertion, they rely on hypothetical climate change computer models showing massive loss of ice and irreparable damages in the polar bear's habitat. The Service then extrapolates that reasoning to the other 18 populations of polar bears. There are 19 populations, 1 of them is in trouble, but they use that as the model, and they take that and apply that same extrapolation to the other 18 populations of polar bears, making the assumption all bears in these populations will eventually decline and go extinct.

Again, this conclusion is not based on field data but hypothetical modeling, and that is considered perfectly acceptable scientific evidence under the Endangered Species Act.

That is why it should be changed. I don't believe our Federal conservation policy should be dictated by hypothetical computer projections because the stakes of listing a decision under ESA could be extremely high. The listing of the polar bear is no exception. The ESA is the most effective Federal tool to usurp local land use control and undermine private property rights. As landowners and businesses have known for decades, when you want to stop a development project or just about any other activity, find a species on that land to protect and things will slow down and many times they stop. It could be the bearing beetle, the Arkansas shiner, and now it could be the polar bear. This is because section 7 of the ESA requires that any project that involves the Federal Government in any way must meet the approval of the Fish and Wildlife Service before the project can move forward. The Federal Government's involvement in the project can take the form of a Federal grant, an environmental permit, a grazing allotment, a pesticide registration or land development permit or a number of other documents. The law requires that Fish and Wildlife intervene and determine if the project may affect an endangered or threatened species.

So in the case of the polar bear listing, oil and gas exploration in Alaska, which accounts for 85 percent of the State's revenue and 25 percent of the Nation's domestic oil production, is immediately called into question. Likewise, the State's shipping, highway construction or fishing activities will also be subject to Federal scrutiny under section 7.

Furthermore, because the Fish and Wildlife Service has linked the icefloe habitat concerns of polar bears to global climate change, all kinds of projects around the country could be challenged. Some would say this isn't possible or that I am exaggerating. But if

you take the ESA to its logical conclusion, which is certain to be done by environmental special interest groups, any activity that allegedly affects climate change or greenhouse gas emissions, they have to be evaluated and approved by Fish and Wildlife for its effect on the icefloes on which polar bears depend. Thus, this proposal could be the ultimate assault on local land use decisionmaking and suppression of private property rights to date.

So it is important that we take the next year to gather information, to make sure it is logical science, and that our decisions are science based. Again, the Wall Street Journal of this past Wednesday—not Tuesday—has an article where they go through and document very well, very succinctly, that we are not having a problem in losing this population. In fact, it is actually growing. So I ask unanimous consent to include the Wall Street Journal editorial in its entirety.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 3, 2007]

POLAR BEAR POLITICS—USING AN “ENDANGERED” SPECIES TO CHANGE ENERGY POLICY.

Unless you’ve been hibernating for the winter, you have no doubt heard the many alarms about global warming. Now even the Bush Administration is getting into the act, at least judging from last week’s decision by Interior Secretary Dirk Kempthorne to recommend that the majestic polar bear be listed as “threatened” under the Endangered Species Act. The closer you inspect this decision, however, the more it looks like the triumph of politics over science.

“We are concerned,” said Mr. Kempthorne, that “the polar bears’ habitat may literally be melting” due to warmer Arctic temperatures. However, when we called Interior spokesman Hugh Vickery for some elaboration, he was a lot less categorical, even a tad defensive. The “endangered” designation is based less on the actual number of bears in Alaska than on “projections into the future,” Mr. Vickery said, adding that these “projection models” are “tricky business.”

Apparently so, because there are in fact more polar bears in the world now than there were 40 years ago, as the nearby chart shows. The main threat to polar bears in recent decades has been from hunting, with estimates as low as 5,000 to 10,000 bears in the 1950s and 1960s. But thanks to conservation efforts, and some cross-border cooperation among the U.S., Canada and Russia, the best estimate today is that the polar bear population is 20,000 to 25,000.

It also turns out that most of the alarm over the polar bear’s future stems from a single, peer-reviewed study, which found that the bear population had declined by some 250, or 25 percent, in Western Hudson Bay in the last decade. But the polar bear’s range is far more extensive than Hudson Bay. A 2002 U.S. Geological Survey of wildlife in the Arctic Refuge Coastal Plain concluded that the ice bear populations “may now be near historic highs.” One of the leading experts on the polar bear, Mitchell Taylor, the manager of wildlife resources for the Nunavut territory in Canada, has found that the Canadian polar bear population has actually creased by 25 percent—to 15,000 from 12,000 over the past decade.

Mr. Taylor tells us that in many parts of Canada, “polar bears are very abundant and productive. In some areas, they are overly abundant. I understand that people not living in the North generally have difficulty grasping the concept of too many polar bears, but those who live here have a pretty good grasp of what that is like.” Those cuddly white bears are the Earth’s largest land carnivores.

There is no doubt that higher temperatures threaten polar bear habitat by melting sea ice. Mr. Kempthorne also says he had little choice because the threshold for triggering a study under the Endangered Species Act is low. The Bush Administration was sued by the usual environmental suspects to make this decision, which means that Interior will now conduct a year-long review before any formal listing decision is made.

Nonetheless, the bears seem to have survived despite many other severe warming and cooling periods over the last few thousands of years. Polar bears are also protected from poaching and environmental damage by the Marine Mammal Protection Act, so there is little extra advantage to the bears themselves from an “endangered” classification.

All of which suggests that the real story here is a human one, namely about the politics of global warming. Once a plant or animal is listed under the Endangered Species Act, the government must also come up with an elaborate plan to protect its habitat. If the polar bear is endangered by warmer temperatures, then the environmentalist demand will be that the government do something to address that climate change. Faster than you can say Al Gore, this would lead to lawsuits and cries in Congress demanding federal mandates to reduce greenhouse gas emissions.

Think we’re exaggerating? No sooner had Mr. Kempthorne announced his study than Kassie Siegel of something called the Center for Biological Diversity told the New York Times that “even this Administration” would not be able to “write this proposal without acknowledging that the primary threat to polar bears is global warming and without acknowledging the science of global warming.” Her outfit was one of those who had sued the feds in the first place over the polar bears, notwithstanding its location in the frozen tundra of Arizona. But no matter. For want of a few hundred polar bears, the entire U.S. economy could be vulnerable to judicial dictation.

With that much at stake, Mr. Kempthorne could have shown a stiffer backbone in resisting this political pressure. At the very least he now has an obligation to ensure that Interior’s year-long study be based on real science and the actual polar bear population, rather than rely on computer projections. Any government decision to limit greenhouse gases deserves to be debated in the open, where the public can understand the consequences, not legislated by the back door via the Endangered Species Act.

Mr. INHOFE. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BUNNING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kentucky is recognized.

Mr. BUNNING. I thank the Chair.

(The remarks of Mr. BUNNING pertaining to the introduction of (S. 154

and S. 155) are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

#### RESTORING FISCAL DISCIPLINE ACT OF 2007

Mr. CONRAD. Mr. President, on this very first day of the first session of the 110th Congress, I am proud to introduce, with Majority Leader REID, the Restoring Fiscal Discipline Act of 2007. By including this act in our top 10 legislative priorities, Democrats are sending a message. We are saying to the Nation that it is time to restore fiscal discipline in Washington.

Unfortunately, we are inheriting a fiscal mess. It is a fiscal mess of historic proportion. The head of the Government Accountability Office, General Walker, has told us:

The U.S. Government is on an imprudent and unsustainable fiscal path.

General Walker is right. General Walker is the head of the Government Accountability Office. He is the person responsible for reporting to Congress on our fiscal condition, and he is warning us of the serious course correction that is required. As General Walker has said, and as I agree, the fact is that our budget outlook is far worse than what has been claimed. The increase in debt in 2006 is far greater than the reported deficit.

It is very interesting how the media reports these things to the American people. They say to the American people that the deficit last year was \$248 billion. That is true. What they do not tell the American people, what is not said, is the debt last year increased by \$546 billion—almost \$300 billion more than the stated deficit. This is an utterly unsustainable course. To add almost \$550 billion of debt in 1 year after having done about that amount each of the last 5 years has put us on a course that is utterly unsustainable. It fundamentally threatens America’s economic security.

Read the reports. Yesterday and today in the national newspapers you saw stories about the declining value of the dollar. The dollar has been in a deep slide for 3 months. There are reports of countries, one after another, announcing that they intend to diversify their investments out of dollar-denominated securities. There is a message here to all of us—a warning, a warning of America’s preeminent position in the financial world being threatened. It is being threatened by a mountain of debt.

I have tried to put into visual terms how dramatically the change in debt has been in just the last few years. When this President came to office, after his last full year, the debt stood at \$5.8 trillion. We do not hold him responsible for his first year because obviously he was operating under the budget of the previous administration. But look what has happened since. The debt has skyrocketed to \$8.5 trillion. If the President’s course is pursued, over